



Agenda Number: 12
CSU-60018
August 2, 2006

[illegible]

This request was deferred at the May 3, 2006 CPC hearing at the applicant's request.

Attachments:

1. Application
2. Land Use and Zoning Maps
3. Notice of Violation
4. Existing Special Use Permit Documentation
5. Letter from Alameda North Valley Association
6. Request for deferral for May 3, 2006 hearing
7. Revised application and additional letters of support
8. Revised Site Plan, dated 6/26/06 (Commissioners only)

Bernalillo County Departments and other agencies reviewed this application from 3/27/06 to 4/10/06 and from 6/27/06 to 7/10/06. Their comments were used in preparation of this report, and begin on Page 16.

AGENDA ITEM NO.: 12
County Planning Commission
August 2, 2006

CSU-60018 Miller & Associates, agent for Danlar Collision Inc., requests approval to amend the Special Use Permit to include Auto & Truck Storage (for wrecker service) on Tracts B-1, B-2, & B-3, Lands of Montoya & Armijo, SP-87-264, located at 102 Alameda Boulevard NW, zoned A-1 & C-1 with a Special Use Permit for Specific Use for Garage for Automotive Repair (auto paint & body), containing approximately 2.94 acres. (C-16) (DEFERRED FROM THE MAY 3, 2006 HEARING).

AREA CHARACTERISTICS AND ZONING HISTORY
Surrounding Zoning & Land Uses

Site	Zoning	Land use
	A-1/C-1/Special Use Permit for Garage for Auto Repair	Auto Paint & Body, Towing Service
North	A-1/Special Use Permit for Nursery	Nursery retail, landscape contractor's yard
South	A-1/Special Use Permit	Cluster Housing Development
East	--	Railroad
West	C-1	Convenience Store, service station.

BACKGROUND:

The Request

The applicant is requesting an amendment to an existing Special Use Permit to add a towing service on a 2.94 acre property (three parcels) along Alameda Blvd. to the west of the AT & SF Railroad tracks and east of Second St. Two of the parcels have split zoning (A-1 in the rear and C-1 along Alameda Blvd.), and one parcel has A-1 zoning. The zone change to C-1 was approved in 1986 (CZ-86-13).

At present, the applicants' property includes a 10,000 square foot shop and office, large parking areas for vehicles under repair or being processed after towing, and an area for storage.

This property has had Special Use Permits since the 1980s. In 1987, the Board of County Commissioners approved a Special Use Permit for a Paint and Body and Auto Repair Shop (Industrial Park) on Tracts B and C (now B2 & B3) (CSU-87-30). At the time, a paint and body shop and an auto repair and machine shop existed on the property in one 10,000 square foot building, although the approved site plan included another 12,000 square foot building, which has yet to be constructed. Conditions of approval included the following: 1) a maximum of fifteen vehicles awaiting repair and/or painting shall be allowed; 2) a solid wall between commercial and residential areas shall be provided; 3) all outside storage shall be within a solid wall; and 4) the landscaping, buffer landscaping ordinance shall be complied with.

The third tract (Tract A (now B-1) received a Special Use Permit for C-1 Uses in 1987 and has been vacant until recently (CSU-87-51). It now accommodates vehicles that have been towed.

This request came about as a result of a zoning violation. Auto wrecking and towing was added on the site and the number of vehicles awaiting repair has exceeded the 15 allowed by the Special Use Permit (Attachment 3). Under this request, the uses on the site will be legitimized. The site plan shows the existing building, the approved building (to be constructed) and the locations of vehicle storage.

Request justification.

In the response to Resolution 116-86, the agent points out that the existing Special Use Permit is for an Industrial Park and that the proposed use, which already exists on the site, is consistent with that use. The request is mainly to allow additional vehicles to park on the site. The agent states that the request complies with the Comprehensive Plan policies in that it respects existing conditions and values. It complies with Resolution 116-86 as it is adjacent to and nearby similar commercial uses along Alameda Blvd and also will continue to comply with the Alameda Design Overlay Zone requirements.

Surrounding Land Uses and Zoning

This property is located east of Fourth St., on the south side of Alameda Blvd., which has a wide variety of land uses and residential densities.

There are a number of businesses nearby the site, extending beyond Fourth St. To the west of the site, is a convenience store under C-1 zoning. To the north, businesses include a convenience store, a Jiffy Lube, and a nursery/greenhouse. To the east of Second St. (north

side of Alameda Blvd.), businesses include a Sonic drive-through restaurant and a nursery retail business.

To the south and east of the site, properties have residential uses. To the immediate south is located a 55 lot Planned Development Area with cluster housing.

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

The site is located in the Rural Area as delineated in the Albuquerque/Bernalillo County Comprehensive Plan. The principal goal for this area is to “maintain the separate identity of rural areas as alternatives to urbanization by guiding development compatible with their open character, natural resources, and traditional settlement patterns.”

Policy 3.a of the Plan (Land Use) states that “Rural Areas as shown by the Plan Map shall generally retain their rural character with development consisting primarily of ranches, farms, and single-family homes on large lots; higher density development may occur at appropriate locations – within rural villages or planned communities. Overall gross densities shall not exceed one dwelling unit per acre.”

Policy 3.g states that the following policies shall guide commercial development in rural areas:

- Small-scale, local industries which employ few people and may sell products on the same premises are the most desirable industrial use.
- Neighborhood and/or community-scale rather than regional-scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within designated mountain and valley villages.

Centers and Corridors Section

County Planning Commission and Extraterritorial Land Use Commission recommended adoption of the additional Plan section on September 10, 2001. The Board of County Commissioners and Extraterritorial Land Use Authority adopted the Centers & Corridors section on January 22, 2002.

The 2002 Amended Comprehensive Plan (Centers and Corridors Map) designates the Second St. and Fourth St. area along Alameda Blvd. as a “Rural Village Center” and the area to the west of the Rio Grande as a “Regional Center.”

Activity Centers

The Goal is to expand and strengthen concentrations of moderate and high-density mixed land uses and social/economic activities which reduce urban sprawl, auto travel needs, and service cost, and which enhance the identity of Albuquerque and its communities. The Plan identifies four types of Activity Centers, which are shown on the Centers and corridors Map. These are: 1) major activity centers; 2) community activity centers; 2) specialty activity centers; neighborhood activity centers; and 4) rural village activity centers. Of these, neighborhood activity and rural village activity centers might apply to areas in the North Valley.

Rural Village Activity Center. These Activity Centers exist at several locations in the unincorporated areas of Bernalillo County. They are designated to serve daily convenience goods and service needs of residents living in the surrounding Rural and Semi-Urban Areas. Similar to Neighborhood Activity Centers in the Urban Area, Rural Village Centers are usually only a few acres in size, located on an arterial street or highway, and should ultimately contain a mix of small scale retail and service uses such as grocery stores, restaurants, gasoline service stations, hardware stores and offices, as well as some housing within walking distance of the other uses.

According to Table 10 in the Comprehensive Plan (Activity Centers), a Rural Village Center provides a location for the daily goods and service needs of surrounding rural communities. It should be accessible by vehicle, located on an arterial street, afford opportunity to walk safely from one use to another, proximate use on the same side of roadway, and include pedestrian and non-motorized travel amenities. It should be in scale with surrounding rural character and market.

Policy 7.a (Activity Centers) states "Existing and proposed Activity Centers are designed by a by a Comprehensive Plan map where appropriate to help shape the built environment in a sustainable development pattern, create mixed use concentrations of interrelated activities that promote transit and pedestrian access both to and within the Activity Center, and maximize cost effectiveness of City services. Each activity center will undergo further analysis that will identify design elements, appropriate uses, transportation service, and other details of implementation."

Policy 7.e states new Activity Centers are designated and added to the Comprehensive Plan through local government review and approval based on specific criteria.

Policy 7.h states "Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged."

North Valley Area Plan

This property is located within the Rural area of the North Valley Area Plan. The Plan states, following the Comprehensive Plan, that overall densities should not exceed one dwelling unit per acre in the Rural Area.

Policy 2 (Land Use) states 'The City and County shall stabilize residential zoning and land use in the North Valley Area.' This may be accomplished through the following:

- a. Limit the location, duration, and type of new uses allowed by Special Use Permit.
- b. Cancel discontinued Special Use Permits granted where existing conditions of approval are not met and permits that are otherwise in violation of the Zoning Ordinance.
- c. Retain existing County A-1 zoning as the only Rural Agricultural zone intended to provide agricultural activities and spacious development.
- d. Require landscape buffering and other measures necessary to limit potential impacts of non-residential uses on residential areas.
- e. Retain the low density character of the North Valley.

Policy 3.a (Land Use) states that “the City and County shall retain existing residential zoning on Alameda Blvd., Second Street, and on future roadway corridors.”

Policy 7.1 states the City and County shall stabilize land use to protect affordable housing and land presently zoned for housing.

- a. Maintain and expand areas zoned for residential uses including A-1, R-1, M-H
- b. Limit encroachment of non-residential uses into residential areas
- c. Encourage residential zoning of parcels with residential uses.

Alameda Sub-Area. The property is located in the Alameda Sub-area of the North Valley Area Plan. This area is predominantly rural, but with a trend toward higher residential density and some non-residential development, particularly nearby Second Street and Fourth Street along Alameda Blvd. and on Fourth Street.

The “Trend Scenario” of the Plan suggests that new zone changes to commercial uses could have the effect of destabilizing residential areas and increasing traffic, and could result in strip commercial streetscape.

Both the “Comprehensive Plan Scenario” and the “Preferred Scenario” of the Plan call for the present zoning pattern to guide future land uses and for commercial development to be restricted to the existing businesses, clustered at Fourth and Second Streets and Alameda Blvd.

Alameda Blvd. Design Overlay Zone

The overall intent of the Design Overlay Zone (DOZ) is to protect the visual qualities and unique historic valley character of the Alameda Corridor area to which it is applied and further provide guidance to developers, design professionals and property owners for new development, streetscape projects, and redevelopment projects.

Character Zone 1 – Established Rural Neighborhoods – extends from the Rio Grande to Alameda Elementary School. This area is characterized by a rural landscape, including agriculture, tree groves, with long established neighborhoods. It does include the Cottonwood Corner strip mall.

Character Zone 2 – 4th Street Village Center – extends from Alameda Elementary School to Second St. This is a mixed use area with churches, schools, gardens, the community center, and commercial uses. The storefronts on 4th St. ‘define the character of the valley,’ while those on Alameda Blvd., such as Circle K, Sonic, are generic and reduce the uniqueness of the area.

Character Zone 3 – Second St. to Edith Blvd. This is a transitional area between the from the Village Center to back to residential uses. From Second St. to the AT & SF Railroad are commercial uses with ‘generic, standardized designs.’ Beyond this, large parcels with agricultural potential pre-dominate.

The other character zone in the DOZ (Edith Blvd. to I-25) are outside the scope of this request.

The DOZ encourages new developments within Zones 1-3 to be within the existing zoning (A-1, R-1), rather than through the issuance of Special Use Permits for non-

residential uses.

The DOZ includes regulations and guidelines for new development along the Alameda Corridor in a number of areas. For private development, these include the following: 1) architecture (materials, windows, roofs, front setbacks; 2) sidewalks; 3) walls and fences; 4) landscaping; 5) parking; 6) signs, and 7) site lighting.

Bernalillo County Zoning Ordinance

Resolution 116-86 lists policies for evaluating a Zone Map changes and Special Use Permit applications.

- A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other Master Plans and amendments thereto including privately developed area plans which have been adopted by the County.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. There was an error in the original zone map.
 - 2. Changed neighborhood or community conditions justify a change in land use or
 - 3. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other County Master Plan, even though (1) and (2) above do not apply.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. A proposed land use change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the County may be:
 - 1. denied due to lack of capital funds; or
 - 2. granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.
- H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.

- I. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted land use plan; or
 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to a strip of land along a street is generally called a "strip zoning." Such a change of zone may be approved only when:
 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone due to traffic or special adverse uses nearby.

Section 18. Special Use Permit Regulations

- A. By Special Use Permit after receipt of a recommendation from the Bernalillo County Planning Commission, the Board of County Commissioners may authorize the location of uses in any one in which they are not permitted by other sections of this ordinance; the Board of County Commissioners may likewise authorize the increase in height of buildings beyond the limits set fourth by sections of the zoning ordinance. With such permits, the Board of County Commissioners may impose such conditions and limitations as it deems necessary:
 1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located.
 2. To ensure that the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become, obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;
 3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones;

4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.

18.b.32. Specific Use.

a. (Office/Commercial) In certain situations based on unique conditions the owner may apply for any of the specific uses set forth in Sections 12, 13, 14 or 15 of this Ordinance. The special use for a specific use (office/commercial) may be granted if the owner/applicant proves by clear and convincing evidence that: (1) unique conditions exist that justify the request and (2) there is substantial support from neighborhood residents (or owners of property) within 200 feet of the site for the proposed special use.

ANALYSIS:

Surrounding Land Use and Zoning

The applicant's business has existed on the property for nearly 20 years under a Special Use Permit, and has recently expanded, which requires amending the Special Use Permit. The subject property appears to be generally compatible with the commercial uses nearby the property along Alameda Blvd. that exist under C-1 zoning or Special Use Permits. Properties to the north, northeast, and east all have commercial uses. Although the use is more intense than these nearby businesses, it generally fits in with cluster of businesses located from the railroad tracks up to Fourth St. It does have residential uses to its south, so that substantial buffering is needed all along the south property line of the business to minimize the impacts.

Plans

The request is consistent with the Comprehensive Plan and the North Valley Area Plan land use designations and policies that both call for the vicinity of the site to be predominantly residential and rural but allow for small scale commercial activities in designated Rural Village Centers. It appears from the 2002 Centers and Corridors Plan of the Albuquerque/Bernalillo County Comprehensive Plan that this property falls does not fall directly within the "Second to Fourth St. Rural Village Center".

However according to the Alameda Design Overlay Zone document, it is in the Second St. to Edith Blvd. Zone (Area 3), which does recognize commercial uses up to the Railroad Tracks. Evidently some effort has been made to comply with the DOZ (landscaping), and any new construction will also need to comply.

It also appears that the request is consistent with the North Valley Area Plan's policies that support development of locally-owned and operated businesses.

Zoning Ordinance

This request appears to be consistent with Resolution 116-86 related to changed neighborhood conditions and consistency with plans for the area. There have, indeed, been changes in the immediate vicinity of the site along Alameda Blvd., including the development of the new businesses, drive through restaurants, and nurseries. The North Valley Area Plan, the Albuquerque/Bernalillo County Comprehensive Plan, and the Alameda Design Overlay

Zone all recognize the area nearby Fourth St. and Alameda Blvd. up to the AT & SF Railroad as Commercial Area. The proposed use is generally consistent with this designation. The Special Use Permit will also help limit the activities on the site and the impacts to adjacent properties by imposing conditions of approval.

However, although a commercial use may be justified on the site, the applicant should explain in greater detail why the expansion of this business is necessary and consistent with the area. It appears that this scale of this business exceeds that of other businesses along Alameda Blvd.

In addition, planning staff notes that evidence of neighborhood support has yet to be provided as no property owner/resident within 200 feet has signed in favor of the request, which is required for a Special Use Permit for Specific Use.

Agency Comments

Most departments and agencies either have no comments or did not provide any comments on this request. Environmental Health staff comments indicate that the development must be connected to Albuquerque/Bernalillo County water and sewer, and conditions must be met regarding noise, surface disturbance, and hazardous materials. Public Works staff comments state that a TIA, a grading and drainage plan, and an access permit should be required. It does not appear that there is any provision for drainage on the site.

DOT comments state that no parking may occur in the State right-of-way. If the access is changed, a new driveway permit would be required.

Zoning comments state that the Alameda Blvd. Design Overlay Zone requirements must be followed. Provide information on parking calculations. Provide information on lighting. Paving for auto storage appears to be inadequate.

Building staff's comments state there is an outstanding electrical permit application in its records.

Planning staff also notes from a visit to the site that the building shown as 'under construction' does not exist on the site and instead the area is being used for parking of vehicles.

Analysis Summary

Zoning	
Resolution 116-86	Use is generally consistent with commercial uses in the area. There are some changed neighborhood conditions. Unique conditions exist with the property—is an existing Special Use.
Requirements	Comply with commercial zoning requirements for setbacks, landscaping, paving, and parking. Comply with Alameda DOZ Support provided from property owners/residents within 200 feet.

Plans	
Comprehensive Plan	Consistent with designation of the general area of the site as commercial.
Area Plan	Will allow development of a locally owned and operated business.
Other Requirements	
Environmental Health	Comply with relevant departmental requirements. Connect to Albuquerque/Bernalillo County sewer and water as prescribed in the availability statement.
Public Works	Provide grading and drainage plan.
Other	

Conclusion

The applicant has operated his business on the subject property since the mid-1980s. The property has been in relative compliance with its Special Use Permit since that time except until recently when it expanded the business to include more vehicles awaiting repair and a towing (wrecker) service. It appears to be appropriate to allow the business to continue to operate on the site

It appears that the current request is appropriate for this site and its vicinity and conditions of approval would help to minimize the impact of the use on the residences to the south and west of the site and on the neighborhood in which the business will be located. However, comments of planning staff must be addressed prior to approval of this request. Additional justification may be necessary explaining why the proposed scale of this development is appropriate and how impacts on neighboring properties will be limited. At the time of this writing, no evidence of neighborhood support has not been provided.

The Alameda North Valley Association generally supports this request with conditions of approval (Attachment 3).

ADDITIONAL STAFF COMMENTS, AUGUST 2, 2006

This request was deferred by the County Planning Commission at the May 3, 2006 hearing at the applicant's request. In the request for deferral (Attachment 6), the agent stated the intent to respond to staff's comments and provide additional letters of neighborhood support.

The applicant has revised the site plan and has submitted a letter that identifies how staff's and neighbors' concerns are being addressed (Attachment 7). This includes the addition of provision of additional landscaping along the south property line that abuts residential uses, the inclusion of parking calculations on the site plan, and potential drainage areas on the site (a conceptual grading and drainage study is being prepared). The letter states that hookups to City/County water and sewer service are anticipated in the future as the services have recently become available. Construction of the new building (approved in 1988) is still planned. In addition, letters of support have been provided from the residential subdivision to the south and from businesses to the west and north of the subject property.

County staff and agency representatives have provided comments on the re-submittal. County Public Works comments state that a conceptual grading and drainage and a traffic impact study are required to approval of the special use permit. Evidence of an access permit from NMDOT is also required (DOT is also requesting a new permit if additional development occurs.

County Environmental Health staff comments state that previous concerns regarding hazardous materials located on-site and water and sewer connections have not been addressed. Either connections to City/County water and sewer must be made or the on-site systems currently in existence on the site must be properly permitted. A sewer and water availability statement from the Water Utility Authority is required.

Comments from the Zoning Administrator state that all parking areas on the site shall be paved.

Conclusion

It appears that the major substantive comment from staff—provide evidence of substantial neighborhood support—has been addressed. Additional information has also been provided to address most comments from other staff (e.g., Public Works, Environmental Health). Therefore, the proposed addition of the towing business and expansion of the parking area for auto body repair could be approved with conditions, as included below.

FINDINGS:

1. This is a request for the approval to amend the Special Use Permit to include Auto & Truck Storage (for wrecker service) on Tracts B-1, B-2, & B-3, Lands of Montoya & Armijo, SP-87-264, located at 102 Alameda Boulevard NW, zoned A-1 & C-1 with a Special Use Permit for Specific Use for Garage for Automotive Repair (auto paint & body), containing approximately 2.94 acres.
2. The property is located in the Rural Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. Tract B-2 and B-3 has a Special Use Permit for Auto Paint and Body (CSU-87-30) and Tract B-1 has a Special Use Permit for C-1 Uses (CSU-87-51). This Special Use Permit (CSU-60018) supercedes the two existing Special Use Permits on the property.
4. This request is the result of a zoning violation in which the applicant expanded the uses on the site without amending the existing Special Use Permit.
5. The request is consistent with Resolution 116-86 in that changed neighborhood conditions, including the expansion of commercial activities nearby the site, justify the land use change.
6. The request has substantial neighborhood support.
7. The request is consistent with the health, safety, and general welfare of the residents of Bernalillo County.

RECOMMENDATION:

APPROVAL of CSU-60018, based on the above Findings, with the following Conditions.

Catherine VerEecke
Program Planner

CONDITIONS:

1. Stored vehicles must be located behind a six foot high solid wall. Automobiles shall be stored on a surface of blacktop or equal as per Section 15.B.2.6.b of the Bernalillo County Zoning Ordinance.
2. The second building ("under construction") shall be limited to 12,000 square feet and shall be limited to one storey.
3. Hours of operation for the auto body shop shall be limited to 7 a.m. to 7 p.m. Monday to Saturday. Diesel engines may idle for no more than 15 minutes at any given time. All activities on the site shall comply with the Bernalillo County Noise Ordinance 30-116. There shall be no amplified sound on the site.
4. Lighting shall be site specific and shall comply with the regulations specified in the Alameda Blvd. Design Overlay Zone. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
5. The applicant shall ensure that all existing structures on the site have electrical permits from the Zoning, Building, Planning, and Environmental Health Department.
6. Site development shall comply with the regulations of the Alameda Design Overlay Zone Design Overlay Zone regarding location of parking, signage, lighting, architectural style (facades, windows, roofs, front setback, building height), landscaping, and front wall.
7. There shall be a solid wall (CMU block) at least six-foot high along the property lines abutting residential uses.
8. There shall be a 15 foot landscape setback along Alameda Blvd. and a 6 foot wide landscaped buffer between the business and the adjacent residential properties to the south. New landscaping shall be installed within six months of the final Board of County Commissioner's approval.
9. A grading and drainage plan shall be submitted for review and approval to Bernalillo County Public Works within six months of the final Board of County Commissioner's approval. The plan shall not affect the required number of parking spaces and landscaping shown on the approved site plan. A copy of the approval of the grading and drainage plan shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
10. A driveway permit shall be obtained from the New Mexico Department of Transportation within six months of the final Board of County Commissioners' approval. A copy of the approval shall be provided to the Public Works Division and to the Zoning, Building, Planning, and Environmental Health Department.
11. The applicant shall provide the following to the Bernalillo County Office of

Environmental Health within six months of the final Board of County Commissioner's approval:

- copies of all City of Albuquerque Air Quality Div. Permits for soil/surface disturbance [fugitive dust] and spray paint booth
 - a sewer and water availability statement and evidence of connection to Albuquerque/Bernalillo County water and sewer service.
 - a hazardous materials handling plan
12. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
 13. The Special Use Permit shall be issued for a period of twenty (20) years.
 14. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the final Board of County Commissioners' approval. The revised site plan shall include information on signage, paving in accordance with Zoning Ordinance requirements, and landscaping irrigation and maintenance.
 15. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

BERNALILLO COUNTY DEPARTMENT COMMENTS

Building Department:

Corrections listed below must be corrected for approval:

Please resolve the existing electrical permit (ELCO0148) as a condition of approval of this request.

Environmental Health:

The property is situated close to private residential dwellings. The applicant should be aware of the Noise Ordinance 30-116, which states, "it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any person residing in the area..."

Operation of diesel powered vehicles or other vehicles at the site will need to comply with Air Quality Board Regulation No. 103 (20 NMAC 11.103, Motor Vehicle Visible Emissions). This regulation ensures that visible emissions are kept within limits specified for different sizes of vehicles and during a 10 minute start up period. Vehicles must be maintained in a condition to comply with these requirements. Engine warmers should be used where ever possible to reduce start up time period.

Obtain and provide to the Bern. EH Office copies of all City of Albuquerque Air Quality Div. permits. 1. soil/surface disturbance [fugitive dust]

2. spray paint booth

MUST PROVIDE PROOF OF SEWER CONNECTION

MUST PROVIDE PROOF OF WATER CONNECTION

The applicant is required to submit a hazardous materials handling plan and submit all necessary checklists and emergency response plan for review and approval.

For 8/2/06

1. Upon connection to public utilities the on-site septic tank must be properly abandoned and inspected.

2. The on-site well is not permitted with Bernalillo County and it is required to be permitted at this time.

3. Applicant hasn't provided the Office of EH with any information as has been requested. KAC

City of Albuquerque water and sewer appears to be available to this property, where applicable availability should be coordinated with City Public Works. A sewer availability statement will be required. Please contact the Water Utility Auth. at 924-3987.

Zoning Enforcement Manager:

Must comply with below listed comments.

shall comply with the Alameda Design Overlay: Zone Character Zone #3
for this project.

No other adverse comments from zoning at this time.

Zoning Administrator

For 8/2/06

COMMENTS RELATING TO THE USE

This use is first allowed in the C-2 zone, and requires the implementation of multiple mitigation measures. These include a solid wall or opaque fence, sufficient landscaping, and related property improvements for lot surfacing and maintenance.

Based on the overall size of the site, a landscape setback of at least 15 feet in width is required along Alameda Blvd., a landscape setback along the southern property line of at least six (6) feet is necessary, and a minimum of 15% of the paved areas of the entire property are required to be landscaped, but the landscape buffer along Alameda contributes toward this requirement. The buffer areas are required to utilize both deciduous and coniferous trees, shrubs, and ground cover, and must be watered with some sort of an irrigation system. The county strongly encourages the use of low-water plants, trees, and vegetation in these areas.

Parking areas on the site - both off-street spaces and areas to be used for the parking and storage of trucks, automobiles, vehicles and/or equipment - are required to be surfaced with concrete or asphalt, and must be to a compacted to a depth of at least six (6) inches. Areas dedicated for off-street parking must be appropriately marked and kept free of all vehicles and equipment which are "for sale" or are awaiting repair and/or being stored on the site. Additionally, all surfacing on the property is required to be continually maintained as being level and serviceable for use.

COMMENTS FOR THE SITE PLAN

The provided landscaping appears to be adequate, as the proposed buffer along Alameda Boulevard is 30 feet wide only at 15 feet wide when a 20-foot wide buffer is necessary. Additionally, complete landscaping (trees, shrubs, ground cover) appears to be lacking toward the western end of the site, and due to the 15% paving rule based on the size of the property, an additional 38,000 square feet of landscaping is needed on the site.

Related to this, it should be specified on the plan that the use of "recycled asphalt" may be used to promote permeability, but the depth requirements (2" of asphalt concrete on a prime coat & a 4" compacted subgrade - or superior surface) must still be met. These areas are also required to be maintained by the owner to ensure that these portions of the site are level and functional.

Compliance with the screening requirements appears to be met with the inclusion of the 6-foot CMU wall along the southern property line, and a sufficient number of parking spaces for customers and employees seem to be existing.

A few additional details are requested concerning the height and size of the existing free-standing sign along Alameda, and a statement concerning irrigation and maintenance of the landscaping should be included on any subsequent revised plan, if the request is approved.

Fire:

NO BUILDING PERMIT FOUND FOR "BUILDING UNDER CONSTRUCTION"

Public Works:

DRAN: 1. A grading and drainage plan, prepared by an engineer licensed in the State of New Mexico, approved by Bernalillo County Public Works Division is required of the entire site prior to any development.

2. The site plan of this Special Use permit request shows extensive development without an apparent accommodation for drainage facilities. No approved grading and drainage plan for these tracts is on file.

For 8/2/06

1. This property is subject to the Bernalillo County Code Chapter 38 for flood damage prevention and storm drainage.

2. This application shows extensive development of this site without accommodations for drainage infrastructure. A conceptual grading and drainage plan, prepared by an engineer licensed in the State of New Mexico, and approved by Bernalillo County Public Works Division is required of the entire site prior to the approval of this special use permit,

3. This property is subject to the National Pollution Discharge Elimination System as required by the Bernalillo County Code Chapter 38 Section 147. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to any development.

DRE: A Traffic Impact Study is required for the entire property related to this proposed development.

For 8/2/06

1. Provide documentation from NMDOT approving both accesses.

2. The state must determine what type of development will be allowed in the ROW.

3. A Traffic Impact Study is required. A TIS preliminary scoping meeting will identify the traffic safety and operations concerns that must be addressed.

TRANS:

What is the width of the existing driveway? Provide documentation from NMDOT that allows this access to exist.

Show the ROW for Alameda Boulevard. Alameda Boulevard is shown as a Principal Arterial, with a required width of 86 feet.

The state must determine what type of development will be allowed in the ROW.

Show what is located within the ROW adjacent to this site.

Parks & Recreation:
REVIEWED, NO COMMENT.

Sheriff's:
No comment received

COMMENTS FROM OTHER AGENCIES

MRGCOG:
No comment.

For 8/2/06
No new comment.

AMAFCA:
Danlar Collision, Alameda/2nd, (C-16)
No comment.

City Planning Department:
No comments received.

For 8/2/06
City of Albuquerque Development Services has no adverse comment.

City Public Works:
Transportation Planning: No comments received.

For 8/2/06

Findings

1. A 10 foot wide paved pedestrian/bicycle trail is proposed along the south side of Alameda Boulevard as designated on the Long Range Bikeway System map.

Conditions

1. Construction of a 10 foot wide paved pedestrian/bicycle trail adjacent the subject property in accordance with the Long Range Bikeways System map.

Transportation Development: No adverse comments.

For 8/2/06

No adverse comments.

COUNTY PLANNING COMMISSION
AUGUST 2, 2006
CSU-60018

Water Resources:
No comments received.

For 8/2/06
No further comments.

For 8/2/06
No further comments

City Transit:
The #98 Wyoming Commuter passes the site on Alameda.
No objection.

City Open Space:
There are no comments from the Open Space Division for projects mailed out on March 28, 2006.

NMDOT

Case Number: ZCSU 60018 Case description: Special Use Permit Location: South side of NM 528 (Alameda) East of 2nd Street Type of development (Residential/commercial): Commercial Possible Impacted NMDOT roadway(s): NM 528 (Alameda) and NM 47 (2nd street). Departments Comments: It does not appear that a new turnout is being requested. The NMDOT has no objection to increasing the parking to meet the demand of the development. The NMDOT would rather see parking take place within the development and not on the NMDOT R/W. Any change in the current access would require the developer to obtain a driveway permit from the NMDOT.

For 8/2/06
Case Number: CSU-60018

Case description: not available from info that was provided in the package

Location: Albuquerque, south side of Alameda

Type of development (Residential/commercial): Commercial

Possible Impacted NMDOT roadway(s): Nm 528 - Alameda Blvd

Departments Comments: as the site is expanded the developer needs to reply for the driveway permits and possible improvements to the two driveways will likely be required. In addition, turn lanes on Alameda may be warranted.

PNM

PNM COMMENT: No comment based upon the information provided to date.

NEIGHBORHOOD ASSOCIATIONS:

Alameda North Valley Association
North Edith Corridor Association